

Senate Resolution 433

By: Senators Tolleson of the 20th, Bulloch of the 11th and Hooks of the 14th

ADOPTED SENATE

A RESOLUTION

1 Requesting that the Congress of the United States oppose legislative efforts to expand the
2 reach and scope of the Clean Water Act; and for other purposes.

3 WHEREAS, over the past 35 years, the federal Clean Water Act (CWA) has governed the
4 nation's waters and has helped ensure that Americans enjoy some of the cleanest rivers and
5 lakes in the world; and

6 WHEREAS, the CWA has struck a proper balance between protecting our clean water and
7 maintaining state, local, and federal regulatory authority and responsibilities; and

8 WHEREAS, states and local governments exercise abundant care over the water and land use
9 decisions that are within their jurisdiction; and

10 WHEREAS, proposed federal legislation, The Clean Water Restoration Act, is intended to
11 make extreme changes to the CWA that threaten to destroy the careful intergovernmental
12 balance that has been the hallmark of the law during its long history; and

13 WHEREAS, this legislation would give the United States Environmental Protection Agency
14 (EPA) and the United States Army Corps of Engineers (the Corps) authority over all
15 interstate and intrastate waters and their tributaries, including nonnavigable waters, thereby
16 granting to Congress authority far beyond the original scope of the CWA; and

17 WHEREAS, if passed, this legislation would dramatically expand the reach of the federal
18 bureaucracy and would fundamentally erode the ability of state and local governments to
19 manage their own water resources; and

20 WHEREAS, the legislation would also grant the EPA and the Corps the authority to regulate
21 public or private activities affecting these newly defined waters regardless of whether the

22 activity is occurring in, or may impact, water at all, creating nearly limitless federal
23 permitting requirements that further intrude upon local government land use decisions; and

24 WHEREAS, a recent nation-wide poll shows that 63 percent of Americans surveyed oppose
25 the proposed extreme changes to the CWA, 47 percent of whom strongly oppose any change
26 in the CWA that would give the federal government veto power over state and local
27 governments when it comes to local land and water use decisions.

28 NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body
29 request that the Congress of the United States oppose legislative efforts to expand the reach
30 and scope of the Clean Water Act, thereby preserving the traditional power of states over
31 land and water use decisions.

32 BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed
33 to transmit an appropriate copy of this resolution to each member of the Georgia
34 congressional delegation.